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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/650,780

08/29/2003

Xavier Cohen

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7590

07/12/2005

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EXAMINER

DATSKOVSKIY, MICHAEL V

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/650,780

Applicant(s)

COHEN ET AL.

Examiner

Michael V. Datskovskiy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-22 and 25-30 is/are rejected.
- 7) ☐ Claim(s) 23 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/29/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-22, 25-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Shinotou.

Shinotou teaches a cooling apparatus 50, Figs. 5-6C, adapted for insertion (connection) to a socket 54 of a chip board 52, said chip board comprising a CPU 56, and said cooling apparatus comprising: a heat sink 58 having a base 76 positioned atop the CPU 56, wherein said heat sink base comprising a hole 75; a cooling fan 60 positioned atop the heat sink; an electrical connector 80 of said cooling fan 60, said electrical connector 80 being inserted in a predetermined position through said base hole 75 and adapted to be connected to a corresponding electrical connector 53 on a face of the chip board 52. Shinotou teaches furthermore said heat sink base having two mechanical fasteners - clamps 78 which are adapted to engage with corresponding mechanical fasteners 71 of the chip board and induce pressure on the base 76, wherein when said fasteners 76 are engaged with the fasteners 71 the electrical connector 80 of the cooling fan 60 is engaged with the corresponding electrical connector 53 of the chip board 52.

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Regarding to the claims 25-29: The method steps are inherently necessitated by the device structure as Shinotou discloses it. Examiner also feels obligated to direct applicant's attention to the extremely broad character of the claims 25-29, which could be clearly rejected over not only Shinotou and any of the pertinent prior art references provided below (each of them teaching a fan electrical connector somehow fixed to a heat sink), but also over any reference teaching a "heat sink – fan" cooling module having a fan electrical connector connected by a cable, as it is shown , for example, by Mitty et al (US Patent 5,734,554) or Liu (US Patent 5,864,465). Method claims 25-29 do not reflect any structural details of the preceding apparatus claims 1-24 in order to support a possibility of simultaneously installing a heat sink and plugging an electrical connector of a fan, and from examiner's point of view it is possible to do it by using another similarly destined structure, or without using specially designed for this structure, just by two hands.

Allowable Subject Matter

3. Claims 23-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: At least one spacer positioned between the heat sink base and the chip board, said spacer providing a gap between the base and the chip board.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen (US Patent 6,808,411); MacGregor et al (US Patent

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5,810,608); Wobig et al (US Patent 6,711,013); Lauruhn et al (US Patent 6,381,836); Hoover (US Patent 5,452,181); Neal et al (US Patent 5,483,102); Chen et al (US Patent 6,061,260) and Sakaguchi (Japan Patent JP408148614A).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Datskovskiy whose telephone number is (571) 272-2040. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael V Datskovskiy
Primary Examiner
Art Unit 2835

07/08/2005